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IN THE UNITED STATES PATENT OFFICE

Art Unit 3739 Henry M. Johnson, III Primary Examiner Paper No. Mail Date 061305

In the matter of the application of Michael A. Martinelli for Letters Patent for improvements in Apparatus and Methods for Causing Selective Necrosis of Abnormal Cells

Ser. No. 10/760,959

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WASHINGTON, D.C.

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AMENDMENT PURSUANT TO RULE 115

In response to the Office Action dated 06/13/2005, please amend the above-identified application as follows:

In the Specification:

Page 16, amend the Abstract to: A method and apparatus adapted to [use a synchronized hyperthermia or synchronized chirp hyperthermia] utilize means for controlling a plurality of energy pulses to repetitively increase and decrease the temperature of a target tissue with a prescribed timing for each temperature change and specific peak temperature for each temperature change to provide selected necrosis of diseased cells.

Page 8, line 15,16 change "such non-contact" to -- target tissue --.

In the Claim:

1. (Amended) Apparatus for treating a target tissue sensitive to changes in target tissue temperature comprising:  
means for directing a plurality of energy pulses toward said target tissue; and  
means for controlling said plurality of energy pulses to assist in pulsating said target tissue temperature over a predetermined period of time to cause necrosis of selected cells in said target tissue.

2. (Amended) Apparatus according to Claim 1, [wherein] include said plurality of energy pulses being adapted to assist in pulsating said target tissue temperature to periodically [increases] increase from a first temperature  $T_1$  to a second temperature  $T_2$  for a first period  $t_1$



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